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WETS WOULD SUBMIT REPEAL OF ILLINOIS PROHIBITION LAWS TO REFERENDUM VOTE

HOPE TO GAIN FEW ADDITIONAL VOTES FOR REPEALER BY PROPOSING SUBMISSION TO PEOPLE

No Referendum Submitted By State Legislature Can Have Any Effect on Legality or Authority of Prohibition As Established By Eighteenth Amendment; Drys Opposed to Submission of Unconstitutional Policy

On March 12 the Judiciary Committee of the House of Representatives recommended by a vote of 18 to 17 that the Weber-O'Grady bill to repeal the Illinois prohibition laws, should not pass. However, on March 27, the House, by a vote of 72 to 70 voted to put the measure on the calendar.

It soon became known that the bill's sponsors would offer an amendment to add a referendum clause on second reading. A vote on such an amendment will, no doubt, have been taken by the time this reaches the reader and the bill will probably come up for third reading and final passage within a week or so.

The prohibition policy is firmly fixed in the Constitution of the United States by the adoption of the Eighteenth Amendment, and under our form of government prohibition is beyond change by any state except through that state acting with thirty-five other states to repeal the Amendment. Manifestly no referendum submitted by the State Legislature can have any effect whatsoever upon the legality or authority of prohibition.

The inevitable logic of the repeal by a state of its prohibition enforcement laws, is a refusal to uphold the Constitution of the United States; it is nullification open and undisguised. It is the solemn duty of the members of the Legislature to refuse to vote for the submission of any such proposition to the people.

There is a legal method available to those who oppose prohibition. Opponents of prohibition have the right to seek the repeal of the Eighteenth Amendment. To nullify the Constitution by repealing the laws enacted to enforce it, is un-American and cowardly. To pursue any other than the legal means of opposing prohibition, is unworthy of the great State of Illinois.

The Anti-Saloon League always has been, and always will be in favor of any fair and legal referendum touching any phase of the liquor question, but is opposed to any referendum which if it should succeed could only result in establishing a policy which means nullification of the Constitution of the United States.

BILL INTRODUCED TO REINSTATE LAW PROVIDING FOR APPOINTMENT OF SPECIAL STATE'S ATTORNEY

Mrs. Anna Wilmarth-Ickes, representative from the Seventh Senatorial District, has introduced into the House of the General Assembly at Springfield, a bill to reinstate the statute which has been in effect in this state for nearly half a century, providing for the appointment by the court of a special State's Attorney when essential to the public interests. This measure is House Bill No. 314.

It will be recalled that Representative Elmer J. Schnackenberg, of the Thirteenth District, Cook County, introduced, and there was passed in the last Legislature, a measure which amended this law by providing that in the case of sickness, absence, or interest of a State's Attorney, instead of permitting the court to appoint a member of the bar to prosecute as special State's Attorney, the Attorney General must first be called upon. There was no occasion for such an amendment to this wholesome statute, except to protect politically a derelict State's Attorney.

Compared with other states, Illinois has little enough redress against derelict prosecuting attorneys. Many states have adequate removal laws. The Constitution of Illinois practically makes it impossible to provide for removal of a State's Attorney, except upon conviction for a misdemeanor. The statute giving the court the right to appoint a special State's Attorney in cases pending before him, is the only protection which the people have when a State's Attorney refuses to do his

duty. The judge's right in this regard should be unhampered. And no matter how efficient and honest the Attorney General may be, there is no reason for restricting the judge to this official in his choice of a special prosecutor.

House Bill No. 314 provides:

Whenever the attorney general or state's attorney is sick or absent, or unable to attend, or is interested in any cause or proceeding, civil or criminal, which it is or may be his duty to prosecute or defend, the court in which said cause or proceeding is pending [shall request the attorney general to prosecute or defend such cause or proceeding, and in the event the attorney general is sick or absent or unable to attend, or is interested in any such cause or proceeding, civil or criminal, he may be thus requested to prosecute or defend, or when the attorney general fails or declines to respond to any such request, the court in which such cause of proceeding is pending] may appoint some competent attorney to prosecute or defend such cause or proceeding; and the attorney so appointed shall have the same power and authority, in relation to such cause or proceeding, as the attorney general or state's attorney would have had if present and attending to the same.

This measure should be enacted into law without delay.

CHICAGO CHURCHES IN FIGHT FOR LAW ENFORCEMENT

United States District Attorney George E. Q. Johnson Delivers Strong Address at Mass Meeting; Urges Backing of An Aroused Citizenship to Clean Up Cook County

The Chicago Church Federation has launched a campaign of cooperation with officialdom to drive the bootleggers, gamblers and gangsters generally, out of the city and county. The first meeting of a series planned, to include community meetings in various centers, was held in Chicago Temple, Wednesday morning, April 3.

United States District Attorney George E. Q. Johnson was the principal speaker. Mr. Johnson said in part:

"You are all familiar with the earnest effort being made by the office of the State's Attorney, the Police, and the United States District Attorney to dry up the sources of easy money that comes from prohibition and gambling. I think that never since prohibition went into effect has such great progress been made as has been made during the past two months. But the work is not finished; it is only commenced.

"Some have suggested that if we take away the income from those engaged in these lines of crime, they will engage in other and greater crimes. This is a mistake. We have had a wide-open town; notwithstanding, burglary and robbery have increased from 50 per cent to 100 per cent. Clearly the facts do not bear out such a theory. Another thing, if we are once to recognize the position that certain men are to be permitted to engage in one type of law violation in order that they may not engage in more serious crime, then we may be morally certain that the lawless forces will control our city and we will be helpless. My impression is that a wide-open town breeds all kinds of crime.

"I believe that the tide in Chicago has definitely set in the other way and that the hoodlum gangs are beginning to break because their sources of revenue are day by day beginning to be cut off. And now if we can have, on the part of the public and the agencies of the Federal government and the agencies of the state and city, a continuous pressure with increasing volume to cut off the revenues that go into the coffers of these gangs, so that there will be no more money to bind them together; if the present policy of destroying the market places for the product of the gang is continued so that the money does not come, gangs will go and we will be through with them in Chicago.

SUCCESS ASSURED WITH CITIZENS' BACKING

"It will be a desperate fight between them and the power of the state and the power of the government, but in this the government will be successful if it has the backing and active cooperation of an aroused, intelligent citizenship, manifested in a sufficiently aggressive campaign. If we fail to obtain this backing all will fail.

"Now no one resents criticism. Criticism of public officials is quite proper. I invite it, and I believe the State's Attorney does, but when you criticize, be sure you have a knowledge of the facts. Be sure you understand the situation and try to

make your criticism constructive. There will be no miracles performed in this battle. The situation has grown upon us for twenty years. But if this policy of continued pressure and vigorous and honest prosecution continues, and there is proper cooperation on the part of the police, these evil forces that have controlled our city will be compelled to yield.

"We have much yet to do to clean up this great city, but if we will just continue our fight, all good citizens maintaining a keen and active interest in the situation, in the course of a few years we will have a Chicago which will be worthy of her proud skyline; and, commerce, industry, and the general welfare of our people will flourish as they have never flourished before."

HOME BREW TEST CASE

Home Brew Question Put Up to State Supreme Court

(Chicago Evening American)

Springfield, Ill., March 25.—(By International News Service).—Can Illinoisans, under existing statutes, make or drink home brew?

This question is placed squarely before the State Supreme Court in a case filed on appeal from Pope County. The question has never been acted on directly by the court in the past and attorneys to-day await its answer with interest.

Dewey Bird, William Barger and Ruby Mouline were found guilty and sentenced for violating the state law when officers searched their boat on the Ohio River, although some one kicked all of the "evidence" into the river. The raiders, however, played diver and recovered some of it, which was alleged to be 4 per cent home brew. The Illinois law fixes $\frac{1}{2}$ of 1 per cent as the maximum of alcohol in brew.

IT PROHIBITS

Padlocks Adorn Samovar Doors; Closed For Year

(Chicago Daily Tribune)

The Samovar, night club, located in the basement of the building at 610 South Michigan avenue, was literally padlocked yesterday under an order issued recently, closing the place for a year for violation of the prohibition law. Deputy United States Marshal Joseph O'Neill affixed strong government locks on both the front and rear doors of the cafe.

The Samovar, like the Club Chez Pierre and several other well-known places of entertainment, was closed as the result of "observation evidence," which tended to show that while no drinks were sold, the management allowed guests to bring their own liquor and drink it unmolested.